

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. Applicants greatly appreciate the acknowledgement of the Applicant's claim for foreign priority under 35 U.S.C. § 119(a)-(d). Also, Applicants greatly appreciate the Examiner's indication that claims 18 and 19 contain allowable subject matter. The Office Action dated November 19, 2007 has been received and its contents carefully reviewed.

By this amendment, Applicants replace the title of the invention. Claims 1, 2, 5-8, 10-17, 19-20, 22, and 24-27 are hereby amended. Amendments to independent claim 1 comprise the incorporation of allowable subject matter from claim 18 and all intervening claims (claims 4, 9, and 12). Claims 3-4, 9, 18, 21, 23, and 28-54 are hereby canceled without prejudice or disclaimer. Accordingly, claims 1, 2, 5-8, 10-17, 19-20, 22, and 24-27 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

The Office objects to claims 8 and 34 because of informalities. Office Action at p. 2, ¶ 4. Claim 34 is cancelled herein, accordingly the objection to this claim is moot. Claim 8 has been amended to correct an inadvertent error. Accordingly, Applicants respectfully request withdrawal of the objection to claims 8 and 34.

The Office rejects claims 29-54 under 35 U.S.C. § 101. Office Action at p. 3, ¶ 6. Claims 29-54 are cancelled herein, accordingly the rejections of these claims are moot. Therefore, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 101 rejection of claims 29-54.

The Office rejects claims 1, 5, 27, 29 and 53 under 35 U.S.C. § 103(a) as being unpatentable over Jae-Min Lee et al. , "A New Home Network Protocol For Controlling And Monitoring Home Appliances - HNCP" (hereinafter "HNCP") in view of S. Kent et

al., “RFC 2401 Security Architecture for the Internet Protocol” (hereinafter “IPsec”).

Office Action at p. 4, ¶ 8. Claims 29 and 53 are cancelled herein, accordingly the rejections of those claims are moot. Applicants respectfully traverse the rejection of the remaining claims.

In order to advance the application to allowance, Applicants have amended claim 1 to incorporate the subject matter of allowable claim 18 and all intervening claims. Accordingly, claim 1 is allowable. Claims 5 and 27 depend from independent claim 1. It stands to reason that these dependent claims are also allowable. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 1, 5, 27, 29 and 53.

The Office rejects claims 2-4, 7-17, 20-26, 28, 30-43, 46-52, and 54 under 35 U.S.C. § 103(a) as being obvious over HNCP in view of IPsec as applied to claim 1, and further in view of WO/2002/097555 to Sam-Chul Ha et al. (hereinafter “NCS”). Office Action at p. 7, ¶ 5. Claims 3-4, 9, 21, 23, 28, 30-43, 46-52, and 54 were canceled herein, accordingly, the rejection of those claims are moot. Applicants respectfully traverse the rejection of the remaining claims.

As stated above with respect to independent claim 1, in order to advance the application to allowance, Applicants have amended claim 1 to incorporate the subject matter of allowable claim 18 and all intervening claims. Accordingly, claim 1 is allowable. Claims 2, 7-8, 10-11, 13-17, 20, 22, and 24-26 depend from independent claim 1. It stands to reason that these dependent claims are also allowable. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2-4, 7-17, 20-26, 28, 30-43, 46-52, and 54.

The Office rejects claim 6 under 35 U.S.C. § 103(a) as being unpatentable over HNCP in view of IPsec as applied to claim 1, and further in view of Seung-Cheon Kim et al.

(US 20030088703 A1, hereinafter “Kim”). Office Action at p. 13, ¶ 6. Applicants respectfully traverse the rejection of this claim.

As stated above with respect to independent claim 1, in order to advance the application to allowance, Applicants have amended claim 1 to incorporate the subject matter of allowable claim 18 and all intervening claims. Accordingly, claim 1 is allowable. Claim 6 depends from independent claim 1. It stands to reason that this dependent claim is also allowable. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of claim 6.

The Office provisionally rejects claim 1 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/558,434. Office Action at p. 14, ¶ 8. Applicants respectfully traverse the rejection. Applicants note that claim 1 is amended herein. Without agreeing to the propriety of the rejection of claim 1 before amendment, Applicants respectfully state that amended claim 1 is patentably distinct from claim 1 of copending Application No. 10/558,434. Accordingly, Applicants respectfully request the withdrawal of the provisional double patenting rejection of claim 1.

CONCLUSION

The application is in condition for allowance. Early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: April 21, 2008

By Michael L. Argent (Reg. No. 46,522)
for **Mark R. Kresloff**
Registration No. 42,766
McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant